

Application No. 10/578,271
Attorney Docket No. 062491

Amendment under 37 C.F.R. §1.111

AMENDMENTS TO THE DRAWINGS

The attached replacement sheets of drawings include changes to Figs. 2, 3a, 3b, 3c, 4a, 4b, 5a, 5b, 5c, 5d, 12a and 12b.

REMARKS

Claims 1, 4, and 7-50 are pending in the present application. New method claims 33-50 were added. Reconsideration of the claims is respectfully requested in view of the following remarks.

Specification

The objection to the abstract and requested clarification of the terms “MO” and “FD” in paragraph [0209] (not paragraph 246 as stated in the Office Action) on page 69 of the specification have been addressed by the above amendments to the specification. Therefore, withdrawal of these objections is respectfully requested.

Drawings

Replacement drawings for Figures 2-5d and 12-12b are submitted herewith. Accordingly, withdrawal of the objections to the drawings is respectfully requested.

Claim Rejections – 35 U.S.C. §112

Claims 1-31 were rejected under 35 U.S.C. §112, second paragraph. The claims were amended to clarify claimed features and to overcome these rejections.

Claim Rejections – 35 U.S.C. §101

Claims 25-31 and 32 were rejected under 35 U.S.C. §101. It is submitted that claim 25 is directed to an article of manufacture (which is statutory) because it claims a specially programmed computer, reciting several means-plus-function elements – and not just a “program” or software. In addition, claim 32 was amended to recite “A non-transitory computer readable recording media” as suggested in the Office Action.

Claim Rejections - 35 U.S.C. §§ 102(b) and 103(a)

Claims 1-3, 6, and 8-32 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,935,060 A to Lliff. Claims 4 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lliff in view of U.S. Patent No. 6,383,135 B1 to Chikovani. Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Lliff in view of U.S. Patent No. 6,569,093 B2 to Lliff (*Lliff '093*). However, it is submitted that the cited prior art does not anticipate or render obvious all the features recited in the present claimed invention, as amended.

For instance, independent claim 1 recites “a generation means for automatically generating, based on said scores, a list by which a temporal variation of said chief complaint information and consultation information can be viewed, said list including a graph by which a temporal variation of the scores calculated by said calculation means can be viewed and the scores for respective symptoms of the chief complaint information and consultation information presented in time series in comparison with the graph.” Independent claims 25 (and similarly in claim 32) recites “generation means for automatically generating, based on the calculated scores,

a list by which a temporal variation of the chief complaint information and consultation information can be viewed.” Likewise, new independent method claim 33 recites “generating and displaying, based on said scores, a list by which a temporal variation of said chief complaint information and consultation information can be viewed, said list including a graph by which a temporal variation of the scores can be viewed and the scores for respective symptoms of the chief complaint information and consultation information presented in time series in comparison with the temporal variation of said graph.”

This claimed feature allows for an at-a-glance comparison of the chief complaint information (by patient) and consultation information (by doctor) with (the whole) temporal variation, after accumulating the chief complaint information and consultation information from the qualitative degrees of respective symptoms. It is insufficient for the doctor to make a therapeutic plan based upon doctor's consultation information solely, so that it is a possible cause of wrong diagnosis since the doctor may overlook the small change of patient's symptoms. With this claimed feature, the doctor can identify discrepancies between the chief complaint information and consultation information without delay. Such a feature is not disclosed nor rendered obvious by Lliff.

The dependent claims distinguish over the cited prior art for at least the reasons their respective base claims distinguish over the cited prior art. Moreover, additional distinguishing features are recited in the dependent claims. For instance, claim 12 (and similarly in new claim 34) recites “said generation means generates the list with blank entries for said chief complaint information and consultation information for the [next-reservation] day the patient did not

appear.” The number of days from the day when the doctor prescribes the drug/medicine to the day when the patient appears in the hospital on the reservation date would highly affect the therapeutic plan, especially in view of a drug effect. Therefore, in the event that the patient does not appear on the date in accordance with the original therapeutic plan (this means that the list lacks the chief complaint information and the consultation information on that date), the doctor has to review the therapeutic plan. With this claimed feature, the list would include the graph and scores in time series with a blank on the no-show day, to call attention to the doctor for the missed day (see also paragraph [0183] and Fig. 12a). Lliff does not anticipate nor render obvious this claimed feature.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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Enclosures: Replacement Sheets of Drawings (Figs. 2, 3a, 3b, 3c, 4a, 4b, 5a, 5b, 5c, 5d, 12a and 12b)